

REMARKS

This Amendment is responsive to the Final Office Action dated August 17, 2006. All rejections and objections of the Examiner are respectfully traversed. Reconsideration and further examination is respectfully requested.

At paragraphs 1-31 of the Office Action, the Examiner rejected claims 1-4 and 6-15, and 17-57 for anticipation under 35 U.S.C. 102(b), citing United States Patent number 6,097,720 of Araujo et al. ("Araujo et al."). Applicants respectfully traverse this rejection.

As noted in the previous response, the Araujo et al. system enables multicast distribution efficiencies in a dialup access environment, and includes a multicast source end station, such as a remote access server for an Internet service provider, and a plurality of multicast receiving end stations, such as customer premises equipment CPE, coupled to an intermediate device in the network. In multiple sections, Araujo et al. expressly and repeatedly teach establishing connections (e.g. point-to-point sessions or "PPP") both between a source end station and the plurality of receiving end stations and between the multicast source end station and the intermediate device, through which the source end station feeds multicast messages to the intermediate device. See for example Abstract, lines 8-15, column 2, lines 34-42, column 3 lines 27-30, column 6 lines 35-37, and column 6 lines 58-65.

Nowhere in Araujo et al. is there disclosed or suggested any multicast communication system having multiple subscriber locations, each subscriber location having a single access device through which a plurality of subscriber devices access multicast information sent by a multicast distribution device, including:

... wherein each said access device processes a first join request received from one of said subscriber devices by determining whether said access device is already joined to a multicast group indicated by said first join request, and, in the event that said access device is not already joined to said multicast group indicated by said first join request, sending a second join request to said multicast distribution device, wherein said second join request is a request for said access device to join said multicast group, wherein said access device does not forward said first join request to said multicast distribution service, ***wherein said joining said multicast group by said access device on behalf of said first subscriber device includes authenticating, in response to said second join request, said access device by said multicast distribution device, and wherein said multicast distribution device does not authenticate said one of said subscriber devices*** (emphasis added)

as in the present independent claims 1, 4, 15, 28 and 42. The above highlighted authentication features provide a selective approach to authentication involving a multicast distribution device, such that joining the multicast group involves authentication of the multicast distribution device, without authentication of the subscriber device on behalf of which the multicast distribution device has joined the multicast group. In this way, the above highlighted features indicate a selective approach to authentication in response to a join request that is completely absent from Araujo et al.

Initially, it must be recognized that Araujo et al. includes no mention of authentication of any kind. The Examiner has again asserted that the disclosed use of PPP in the connections of Araujo et al. is somehow sufficient in itself to anticipate the above highlighted authentication features of the present independent claims. The Examiner's rejections include no indication of whether the Examiner views the approach to authentication taken in the present claims as inherent or implicit in Araujo et al., or that any portion of Araujo et al. even suggests that the optional authentication features of PPP should be somehow employed in the Araujo et al. system. In this regard the Examiner simply states in paragraph 1 of the Office Action that "PPP connections feature authentication if desired".

While Applicants concur that authentication is an *optional* feature that may be employed in PPP, there is no teaching in Araujo et al. towards the use of authentication in the PPP connections disclosed in Araujo et al., far less any hint or suggestion of its possible selective application to certain connections and not others. Applicants specifically note that even where Araujo et al. discuss in some detail the features and operation of PPP between line 62 of column 4 and column 5 line 27, they include no reference to the PPP's authentication capabilities. Accordingly, a person skilled in the art would not be instructed by the teachings of Araujo et al. that the use of PPP's authentication features was in any way a desirable enhancement or modification to the connections taught therein.

Moreover, even if the optional authentication features of PPP were for some reason to be applied to the connections in Araujo et al., and Applicants make no admission that there is any motivation found in the prior art for such a modification of Araujo et al., there is still no reason that such authentication would be applied in the exact manner of the above highlighted features of the present claims. Specifically, there is nothing outside of the present independent claims, either in Araujo et al. or elsewhere (including in RFC 1661), that suggests the selective approach to authentication in response to a join request found in the present independent claims.

The Examiner's statements in the Remarks section of the Office Action also point only to the possibility of modifying Araujo et al. to match the present independent claims, without identifying any teaching in the prior art that discloses even a hint or suggestion of the desirability of such modifications. The Examiner states that "no authentication need occur between the end stations (subscriber devices) and the intermediate device (access device)". Applicants respectfully urge that the fact that a prior art reference *could potentially be modified* in a way that matches a claim is not a proper basis for rejecting that claim. Moreover, the Examiner's

assertions that Araujo et al. could be modified in the manner of the present independent claims is made with the benefit of knowledge of the present independent claims themselves, but without any support in the teachings of the prior art. Applicants must accordingly respectfully urge that the present rejections based on this logic are founded on impermissible hindsight.

For the above reasons, Applicants respectfully urge that Araujo et al. does not disclose or suggest all the features of the present independent claims 1, 4, 15, 28 and 42. Accordingly, Araujo et al. does not anticipate the present independent claims under 35 U.S.C. 102. As to the remaining claims, they each depend from either claim 1, 4, 15, 28 or 45, and are believed to be patentable over Araujo et al. for at least the same reasons. Reconsideration of all pending claims is respectfully requested.

For these reasons, the Examiner's rejections are respectfully believed to be overcome, and it is respectfully requested that they be withdrawn. This application is now considered to be in condition for allowance and such action is earnestly solicited.

Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone David A. Dagg, Applicants' Attorney at 617-630-1131 so that such issues may be resolved as expeditiously as possible.

Respectfully Submitted,

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